

## Planning Commission

Regular Meeting of November 6, 2013

A regular meeting of the Planning Commission was called to order by Chairman Nichols at 6:00 p.m., Wednesday, November 6, 2013, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

**Commissioners Present:** John Nichols, Chairman  
Miguel Rojas, Vice Chairman  
Carolyn Palmieri  
Nikan Khatibi

**Staff Present:** Konrad Bolowich, Assistant City Manager  
Guillermo Arreola, Associate Planner  
Gilbert Garza, Code Compliance/Animal Control Officer  
Richard Holdaway, City Attorney

The Commission recessed at 6:01 to tour Blossom Grove Memory Care Facility.

The Commission reconvened at 7:00 p.m.

Chairman Nichols led the Pledge of Allegiance.

No items were added or deleted; however, Assistant City Manager Bolowich did indicate that the public hearing for the proposed Development Code Amendment No. 13-114 relating to the on-site sale and consumption of beer and wine in conjunction with a primary restaurant use, and for hotels with a minimum of 50 rooms, in the Neighborhood Business (C-1) and General Business (C-2) zones in the City of Loma Linda had been advertised but inadvertently left off the agenda. It would appear on the December 4 meeting agenda. Chairman Nichols made note and no member of the public was present to speak on the issue.

Upon invitation of the Chairman, Dick Wiley addressed the Commission extending an invitation to the History Fair scheduled for November 17, 2013 in the Senior Center.

**PC 13-21 – PUBLIC NUISANCE – A HEARING TO DETERMINE IF A PUBLIC NUISANCE EXISTS AT 26451 E. FIRST STREET (APN 0293-032-20), AND CONSIDERATION OF ADOPTION OF WRITTEN FINDINGS AND NOTICE TO ABATE**

Chairman Nichols introduced the item and opened the nuisance abatement hearing.

Code Compliance Officer Gilbert Garza presented the staff report into evidence. He confirmed for Commissioners that the property was vacant, with the exception of an occasional transient; there were no electrical, gas or water connections; and that contact with the owner's daughter had not resulted in compliance.

Assistant City Manager indicated that a finding from the Commission that a nuisance exists allows staff to obtain an abatement warrant from a judge, giving the City authority to abate the nuisance, with the cost of the abatement placed as a lien on the property. He also confirmed that the time frames for the abatement were outlined in Exhibit M of the staff report.

No comments were offered by the public and Chairman Nichols closed the public hearing.

**Motion by Khatibi, seconded by Rojas and unanimously carried to adopt the Findings of Nuisance and Notice to Abate as outlined in the staff report and exhibits.**

**PC-13-22 – PUBLIC NUISANCE – A HEARING TO DETERMINE IF A PUBLIC NUISANCE EXISTS AT A VACANT PARCEL (APN 0283-245-12) LOCATED BETWEEN 25370 MEAD STREET AND 10741 JASMINE STREET, AND CONSIDERATION OF ADOPTION OF WRITTEN FINDINGS AND NOTICE TO ABATE**

Chairman Nichols introduced the item and opened the nuisance abatement hearing.

Code Compliance Officer Gilbert Garza presented the staff report into evidence. He confirmed for the Commissioners that there is no evidence of a recorded easement, and access to the parcel would be through the neighboring yard; staff had no idea of the contents of the storage container; and that contact was made via email by the previous Code Enforcement Officer with the owner's son, and did not result in compliance.

No comments were offered by the public and Chairman Nichols closed the public hearing.

**Motion by Nichols, seconded by Khatibi and unanimously carried to adopt the Findings of Nuisance and Notice to Abate as outlined in the staff report and exhibits.**

**PC-13-23 – PRECISE PLAN OF DESIGN NO. 13-066 – A REQUEST TO CONSTRUCT A FOUR-STORY, 52,937 SQUARE FOOT HOLIDAY INN EXPRESS HOTEL ON A VACANT SITE (APN 0281-162-37), LOCATED ON THE NORTH SIDE OF REDLANDS BOULEVARD. THE PROPOSED HOTEL INCLUDES 85 ROOMS AND ASSOCIATED ON-SITE IMPROVMENTS. THE PROJECT SITE IS LOCATED WITHIN THE EAST VALLEY CORRIDOR SPECIFIC PLAN/GENERAL COMMERCIAL (EVC/CG) ZONE**

Chairman Nichols introduced the item and opened the public hearing.

Associate Planner Guillermo presented the staff report into evidence. He indicated that the applicant was available to address any questions or concerns the Commissioners may have.

Chairman Nichols asked about the undeveloped land to the north and east of the proposed project and possibilities for development. Staff responded that a consolidation of lots was possible. Two parcels to the east were owned by the City and there are discussions to do some land swaps and lot mergers to create contiguous lots that are more functional.

Other questions and concerns from Commissioners included:

- Possible landscaping of the rear portion of the vacant lot between proposed project and the freeway;
- Possible secondary/emergency access from Richardson Street;
- Left turns from Redlands Boulevard holding up traffic;
- The Commission would like to see more articulation on the elevations, particularly on the north elevation seen from the freeway;
- Plant additional trees to help with sun exposure along the west façade;
- Modify the driveway entrance to include a slight curve to the driveway and provide additional landscaping in order to create a grander entrance.

Staff and applicant responded:

- Costly to add irrigation, however, something that is not cost or water intensive might be an option such as hydroseeding with wildflower seed;
- Secondary emergency access was provided through an existing easement from the auto center to the west of the subject site, as indicated on the site plan;
- A left turn lane already existed on Redlands Boulevard;
- Focus was placed at the Redlands Boulevard entrance to the hotel; from the freeway, motorists will see mainly the landscaping, signage, cornices and roofline;
- With regards to shading, windows are Low-E glass; west elevation does include a number of jogs in the elevation not readily apparent in the rendering;
- Regarding driveway placement, one of the primary objectives was to present as much frontage to Redlands Boulevard as possible; from the City's perspective, the driveway was placed to line up with the Poplar Street intersection to avoid an off-set intersection; applicant stated he was willing to work with staff to see what could be done to make the entrance stand out, possibly a water feature and additional landscaping.

In response to the question regarding a master plan for this project and adjacent lots, Assistant City Manager Bolowich indicated that future use is at this point unknown; however it could include a possible fire station/training center and some City uses.

Discussion ensued regarding the driveway and possibly reorienting the parking on the west side of the project from the east to the west side of that driveway, with larger islands to accommodate bigger trees. It was pointed out that guest would then have to cross the path of traffic. Consensus was to have the applicant work with staff as to the best possible configuration.

Applicant thanked staff for making the process smooth and that they were agreeable to work with staff on the issues raised by the Commissioners.

Upon invitation of the Chairman, Dick Wiley spoke, suggesting the possibility of incorporating solar panels on the roof.

Chairman Nichols closed the public hearing.

Assistant Planner Guillermo confirmed that Commission was agreeable to having applicant continue to work with staff on exploring the recommendations of the Commissioners versus bringing the project back to the Planning Commission.

**Motion by Khatibi, seconded by Rojas and unanimously carried to approve staff recommendations to adopt the Mitigated Negative Declaration and approve PPD No. 13-066 based on the Findings and subject to the Conditions of Approval; and the applicant to continue working with staff to explore alternatives to the driveway entrance, parking and landscaping on the west side of the project.**

**PC-13-24 – Approval of Minutes of August 7, 2013**

**Motion by Rojas, seconded by Khatibi and carried to approve the minutes of August 7, 2013 as presented.**

**REPORTS BY PLANNING COMMISSIONERS**

Commissioner Rojas asked about the banner signs at McDonalds. Assistant City Manager Bolowich responded that the City Sign Codes allow for temporary signage such as this.

Commissioner Khatibi indicated that the new parking structure was open and appeared to be working well.

Chairman Nichols confirmed with Assistant City Manager that City Council should be making a decision regarding appointment to the vacant Commissioner position at its next meeting.

Chairman Nichols requested that Commissioners be notified of items that would normally fall under their purview, but due to conflicts of interest among the Commissioners, are moved directly to the City Council.

**REPORTS BY STAFF**

VA Healthcare Center project has been reviewed by the Historical Commission; staff anticipates that this project should be presented before the Commission either in February or March.

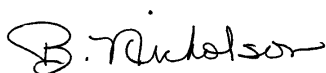
The environmental process has begun for the Campus Master Plan; the Environmental Initial Study (EIR) would normally be reviewed by the Planning Commission, however, due to conflicts of interest among the Commissioners, the Campus Master Plan and EIR will go directly before the City Council for review and approval.

In response to a question regarding a Commissioner's capacity when speaking at a City Council meeting on those projects that bypass the Planning Commission due to conflicts of interest, City Attorney Holdaway recommended that if a Commissioner has a conflict of interest, that they not attempt to influence the decision of the City Council in any way. Typically, speaking as a private citizen, it relates to a matter where one has a personal interest, i.e. your home or property; when it relates to your employer or source of income: it is usually better that you not participate, even at the Council level. When one takes a public position they become subject to the Political Reform Act and the Fair Political Practices Commission may look at that role and determine that one is acting in an official capacity and therefore subject to those rules. One does lose some of the leeway that a private citizen would have who does not hold a position of responsibility in the local agency's governance. Mr. Holdaway did indicate that he takes a fairly conservative approach to avoid any potential appearance of a conflict of interest; however, he could look into the matter further when the time comes. He continued that the Rule of Necessity applies at the City Council level as the final body that must act on the application, allowing some Councilmembers to vote despite a conflict of interest. Commissioners were welcome to consult with the FPPC.

Associate Planner Guillermo indicated that the next meeting would be December 4, and due to the New Year's Day holiday, recommended moving the January meeting to the third Wednesday, January 15, 2014. Commissioners were in agreement.

The meeting adjourned at 8:35 p.m.

Minutes approved at the meeting of December 4, 2013/



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Barbara Nicholson  
Deputy City Clerk